

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6269 OF 2007

Shri.Dhananjay Prabhakar Avasarikar....Petitioner

VS.

1.Shri.Shivaji Maratha Society & Anr ...Respondents.

Mr.A.V.Anturkar,for the Petitioner.

CORAM: D.K.DESHMUKH &

V.M.KANADE, JJ.

DATED: 20th December, 2007.

P.C.:-

1. By this petition, the petitioner who is a teacher working in a college affiliated to Pune University is seeking direction to the management to disclose to the petitioner how much salary he would be paid on his reinstatement. There is an order made in favour of the petitioner dated 25.8.2004 by the Presiding Officer of the College

Tribunal granting reinstatement in service with full backwages. There is a writ petition filed against that order being Writ petition no.9434 of 2004. That petition has been admitted for final hearing. Only that part of the order of the College Tribunal by which the backwages are awarded and difference of salary is directed to be paid, has been stayed. In other words the order of the College Tribunal granting reinstatement has not been stayed. The petitioner, therefore, is entitled to reinstatement.

2. By this petition, the petitioner wants this Court to direct the management to disclose how much monthly salary the petitioner is entitled to get after reinstatement. In our opinion, the petition is misconceived. If the petitioner has rightly contended that the College in which he gets reinstatement as per the order of the College Tribunal, is affiliated to Pune University which is the University constituted under the Maharashtra Universities

Act then as per the provisions of the Act, the college is bound to pay to the petitioner salary which is payable under the provisions of Maharashtra Universities Act or All India Council for Technical Education (A.I.C.T.E.), and therefore, it is a matter of calculation after getting relevant information from the University and AICTE as to how much salary is payable to the petitioner considering his length of service and educational qualification. In our opinion, direction for that purpose to the management is not necessary. The petition is disposed of.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)
